

Remarks

Reconsideration of the application and allowance of all claims pending are respectfully requested. Claims 1-9 and 12-22 are pending.

Claim Rejections - 35 U.S.C. § 103

Claims 1-4, 6-9, 12-13, 15-16, and 18-20 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Harrison et al. (U.S. Patent No. 6,418,216; "Harrison") in view of Chow et al. (U.S. Patent No. 6,470,179; "Chow"), and further in view of Lantto (U.S. Patent No. 5,867,784). Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrison in view of Chow and Lantto and further in view of Bales et al. (U.S. Patent No. 5,590,127; "Bales"). Claims 14, 17, and 21-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrison in view of Chow and Lantto and further in view of Vishwanathan et al. (U.S. Patent App. Pub. No. 2003/0017836; "Vishwanathan").

These rejections are respectfully, but most strenuously, traversed.

Applicants respectfully submit that the Office Action's citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Office Action's citations to the applied references is proper, do not teach or suggest the initial address message comprises the operator services information parameter with the special handling type value that comprises the authorization code, as recited in applicants' independent claim 1.

For explanatory purposes, applicants discuss herein one or more differences between the claimed invention and the Office Action's citations to Harrison, Chow, Lantto, Bales, and Vishwanathan. This discussion, however, is in no way meant to acquiesce in any

characterization that one or more parts of the Office Action's citations to Harrison, Chow, Lantto, or Vishwanathan correspond to the claimed invention.

Harrison (FIG. 2) discloses a switch with an external processor to provide a barge-in procedure for a public switched telephone network. The Office Action alleges (page 3) that Harrison discloses the barge-in to allow the first user of the priority communication device to communicate with the second user of the mobile communication device. However, Harrison fails to disclose a mobile communication device, a mobile switching component, or a wireless communication network. Harrison fails to disclose a barge-in for a user of a mobile communication device. Additionally, as is known in the art, a switch for the public switched telephone network is part of a different network architecture as compared to a mobile switching component of a mobile communication network. Accordingly, the solution for the PSTN disclosed by Harrison is not directly applicable to the mobile communication network. Harrison fails to disclose the initial address message comprises the operator services information parameter with the special handling type value that comprises the authorization code.

Accordingly, the Office Action's citation to Harrison fails to satisfy at least one of the limitations recited in applicants' independent claim 1.

Chow discloses (col. 17, line 53 to col. 18, line 3) the PSTN switch that sends an ISUP IAM message to a mobile switching center. However, Chow fails to disclose that the ISUP IAM message is for a barge-in to a pre-existing call with a mobile communication device. Chow fails to disclose that the ISUP IAM message comprises an authorization code within the operator services information parameter. Chow fails to disclose the initial address message comprises the operator services information parameter with the special handling type value that comprises the authorization code. In addition, Chow is directed towards an automatic service selection feature

in a local cordless services architecture (abstract) and shows no recognition of the problem of providing a barge-in on a call to a user of a mobile communication device. Applicant respectfully submits that Chow is not a pertinent reference and the §103 rejection is improper.

Accordingly, the Office Action's citation to Chow fails to satisfy at least one of the limitations recited in applicants' independent claim 1.

Lantto (col. 5, lines 13-25) discloses that an ISUP IAM message comprises various parameters for call reference information, identifying the call in the originating MSC and the signaling point code of the originating MSC, and network code information, identifying the originating network. However, Lantto fails to disclose that the ISUP IAM message is for a barge-in to a call with a mobile communication device. Lantto fails to disclose that the ISUP IAM message comprises an authorization code within the operator services information parameter. Lantto fails to disclose the initial address message comprises the operator services information parameter with the special handling type value that comprises the authorization code. In addition, Lantto is directed towards improving speech quality for forwarded calls by avoiding unnecessary speech decoding (abstract) and shows no recognition of the problem of providing a barge-in on a call to a user of a mobile communication device. Applicant respectfully submits that Lantto is not a pertinent reference and the §103 rejection is improper.

Accordingly, the Office Action's citation to Lantto fails to satisfy at least one of the limitations recited in applicants' independent claim 1.

The citations to Vishwanathan and Bales fail to disclose the initial address message that comprises the operator services information parameter with the special handling type value that comprises the authorization code, as described in the previous Response.

As described above, applicants respectfully submit that Chow and Lantto are not pertinent references. Additionally, the Office Action recites (Office Action, page 4):

It would have been obvious to one of ordinarily skilled in the art at the time of invention to incorporate Lantto's disclosure of various IAM parameters to contain a authorization code disclosed in Harrison to perform a call setup.

The Office Action does not indicate where the motivation to combine Chow and Lantto with Harrison is shown. MPEP §2143.01 states:

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.

MPEP §2143.01 further states:

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990; *emphasis in original*).

Since both Chow and Lantto are directed towards different problems, applicants respectfully request a showing from within the references that would suggest their combination to maintain the §103 rejection.

The Office Action's citations to Harrison, Chow, Lantto, Bales, and Vishwanathan all fail to meet at least one of applicants' claimed features. For example, there is no teaching or suggestion in the Office Action's citations to Harrison, Chow, Lantto, Bales, or Vishwanathan of the initial address message comprises the operator services information parameter with the special handling type value that comprises the authorization code, as recited in applicants' independent claim 1.

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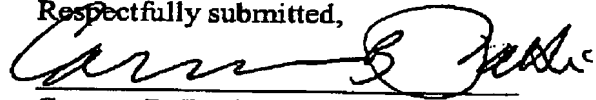
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For all the reasons presented above with reference to claim 1, claims 1, 15, and 20 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for the same reasons as independent claims 1, 15, and 20, as well as for their own additional characterizations.

Withdrawal of the § 103 rejections is therefore respectfully requested.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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